

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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FLOYD'S OF LEADVILLE, INC.,
n/k/a VALUED, INC.,

Plaintiff,

-against-

Docket No.1:22-cv-3318

ALEXANDER CAPITAL, L.P.; NESA
MANAGEMENT, LLC; JOSEPH ANTHONY
AMATO; ROCCO GERARD
GUIDICIPIETRO; JONATHAN GAZDAK;
GREGORY HURLEY; HOWARD DASILVA;
RONALD BARRIE CLAPHAM; RONALD
BARRIE CLAPHAM; THIEN TRUONG;
PROVISION HOLDING, INC.; TIMOTHY
KELLY; AND THREE DDD LLC,

Defendants.

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I.

NOTICE OF
CROSS-MOTION

UPON the annexed declarations of defendants, R. Barrie Clapham and Mark Leonard, and of Paul A. Rachmuth, and non-party Bryan A. McKenna, dated the 18th day of November 2024, and all pleadings had herein, the undersigned shall move this Court before the Hon. Dale E. Ho, on a date to be determined by the Court, at Thurgood Marshall United States Courthouse, 40 Foley Square New York, NY 10007, for an order granting the defendants leave to file answers to the complaint; and for such other and further relief as the Court finds just and proper.

Dated: Rockville Centre, New York
November 18, 2024

/s/ Paul A. Rachmuth

Paul A. Rachmuth (pr-1566)
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Counsel for Defendants
Ronald Barrie Clapham and Mark Leonard